

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FRANK SPINA, JR.,

Plaintiff,

v.

// CIVIL ACTION NO. 1:07CV92
(Judge Keeley)

VITAMIN WORLD, INC., GLIMCHER
REALTY TRUST, MORGANTOWN MALL
ASSOCIATES LIMITED PARTNERSHIP,
HERBERT GLIMCHER, as General
Partner of Morgantown Mall
Associates Limited Partnership,
GLIMCHER MORGANTOWN MALL, INC.,
and GLIMCHER PROPERTIES LIMITED
PARTNERSHIP,

Defendants.

ORDER DENYING MOTION TO EXTEND
TIME TO FILE MOTION TO REMAND

On October 19, 2007, counsel for the plaintiff, Frank Spina, Jr. ("Spina"), filed a motion requesting additional time in which to file a motion to remand. As the ground for his motion, counsel states that he has prepared the motion to remand, but due to his "very busy private practice", he has not been able to complete the memorandum of law in support of the motion to remand.

At a hearing on September 19, 2007, the Court deferred scheduling the case for trial and ordered Spina to submit any motions to amend the pleadings, proposed amended pleadings, and motions to remand on or before Friday, October 19, 2007. Finding that Spina had sufficient time to submit these pleadings and

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motions, the Court **DENIES** Spina's motion to extend time to file a motion to remand (dkt. no. 19).

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record.

DATED: October 22, 2007.

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE